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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/615,876 03/14/96 OYA

T 1232-4253

WM02/0703

EXAMINER

MORGAN & FINNEGAN  
345 PARK AVENUE  
NEW YORK NY 10154

SRIVASTAVA, V

ART UNIT	PAPER NUMBER
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2611

DATE MAILED:

07/03/01

36

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

## Office Action Summary

Application No.  
08/615,876

App Unit(s)

Takashi Oya et al

Examiner  
Vivek Srivastava

Art Unit  
2611



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Apr 11, 2001

2a)  This action is FINAL.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 3-7, 16, 18, 20-23, 25, 27-31, 35-47, and 51-68 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) 22, 23, 41, 42, 57, and 59-64 is/are allowed.

6)  Claim(s) 3, 5, 7, 16, 18, 20, 21, 25, 27, 29, 31, 35-40, 43, 45, 47, 51-56, 58, is/are rejected.

7)  Claim(s) 4, 6, 28, 30, 44, and 46 is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 35

20)  Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 U.S.C. § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 3, 16, 18, 20, 21, 27, 35, 37 - 40, 43, 51, 53 - 56, 65 and 57 are rejected under 35 U.S.C. 102(b) as being anticipated by Griesshaber et al.

Considering claims 3, 27, and 43 Griesshaber discloses a camera control system comprising an computer readable medium having computer usable program code containing instructions for the obtaining camera status concerning initial parameters of a predetermined camera (col 2 lines 3 - 41, col 3 line 38 - col 6 line 50, camera status is determined by obtaining means, predetermined camera met by camera numbers and status in fig 5 and 6), in accordance with starting up the monitoring terminal and for obtaining information concerning parameters of predetermined camera whose condition changes of the initial parameters subsequent to the initial startup (fig 5 and fig 6 initial startup or "turning on the system" displays status of the cameras and status changes after initial startup if the camera is being used) camera status display means (fig 5, col 7 lines 13 - 61).

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Considering claims 16, 35, and 51 Griesshaber discloses a computer readable usable program code for displaying a camera symbol representing a predetermined camera over a layout on the basis of parameters, said predetermined camera with the camera symbol (fig 5, predetermined camera is met by camera 4 in fig 5, camera symbol met by camera number).

Considering claims 18, 38, and 54 Griesshaber discloses a computer readable program code which causes a camera-status display means to displays a status of connection of the camera apparatus and the network (fig 5, cameras 1 - 8 are connected to the network).

Considering claims 20, 37, and 53 Griesshaber discloses a terminal comprising an image display means for displaying the image picked up by a predetermined camera on the same screen simultaneously as the screen on which the status of the predetermined camera is displayed (fig 5, col 2 lines 38 - 41).

Considering claims 21, 39, and 55 Griesshaber discloses a terminal with a computer usable program code wherein camera-status display means further displays starting and ending of operation of the predetermined (col 3 line 38 - col 6 line 50 and col 7 lines 13 - 61, indicates progress of auto setup usage).

Considering claims 40 and 56 Griesshaber discloses a computer usable program code wherein obtaining means periodically obtains information concerning parameters of predetermined camera whose condition changes after predetermined camera is started up (col 3 line 38 - col 6 line 50).

Regarding claims 65 and 67, see rejected claims 3, 27 and 43.

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3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371C of this title before the invention thereof by the applicant for patent.

4. Claims 3, 18, 20, 25-27, 36-38, 40, 43, 52-54, 56, 65 and 67 are rejected under 35 U.S.C. 102(e) as being anticipated by Hogan et al (5,657,246-cited by applicant).

Considering claims 3, 27, and 43 Hogan discloses a camera control system comprising an computer readable medium having computer usable program code containing instructions for the obtaining camera status concerning initial parameters of a predetermined camera (col 6 lines 32 - 50, col 7 lines 20 - 67, camera status is determined by obtaining means, predetermined camera met by camera symbol 80 and 86 in fig 5B), in accordance with starting up the monitoring terminal and for obtaining information concerning parameters of predetermined camera whose condition changes of the initial parameters subsequent to the initial startup (fig 5B initial startup or "turning on the system" displays status of cameras 80 and 86 in fig 5B and status changes after initial startup if the camera is being used) camera status display means (fig 5, col 7 lines 13 - 61).

Considering claims 18, 38, and 54 Hogan discloses a terminal comprising a computer readable program code which causes a camera-status display means to display the status of connection of the camera apparatus and the network (fig 2a and fig 5a).

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Considering claims 20, 37, and 53 Hogan discloses a terminal comprising an image display means for displaying the image picked up by a predetermined camera on the same screen simultaneously as the screen on which the status of the predetermined camera is displayed (fig 2a and fig 5a).

*Hogan*  
Considering claims 25, 36, and 52 Griesshaber discloses the claimed wherein obtaining means periodically obtains information concerning statuses of cameras whose conditions have changed (col 5 lines 35 - 45).

Considering claims 26, 40, and 56 Hogan discloses a terminal comprising a computer usable program code wherein obtaining means periodically obtains information concerning parameters of a predetermined camera whose condition changes subsequent to initial startup (fig 2a and fig 5a, col 4 line 28 - col 6 line 50).

Regarding claims 65 and 67, see rejected claims 3, 27 and 43.

***Claim Rejections - 35 U.S.C. § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 3, 5, 7 - 10, 16, 25, 27, 29, 31 - 36, 43, 45, 47 - 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griesshaber et al.

Considering claims 5, 29 and 45 Griesshaber fails to disclose a computer usable program code which causes a computer to perform the step of displaying a pan angle by a direction of a camera control symbol.

The Examiner Takes Official Notice it would have been well known in the art to display a pan angle to provide a viewer with important information with respect to what angle the camera is covering. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Griesshaber to include the claimed pan angle to provide a user with vital camera information.

Considering claims 66 and 68, Griesshaber discloses wherein the initial parameters include at least one of a position and an attitude of camera.

The Examiner Takes Official Notice it would have been well known in the art to display positional information like a pan angle to provide a viewer with important information with respect to the position the camera is in. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Griesshaber to include displaying position information to provide a user with vital camera information.

Regarding claims 7, 31 and 47 Griesshaber fails to disclose displaying if a predetermined camera is unavailable a symbol of the predetermined camera so as to indicate responseless status.

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Griesshaber discloses in fig 6, cameras 2, 3, and 6 have been properly setup and camera 4 can be used although an error has been detected, and cameras 1, 5, 7, and 8 have not been setup. The Examiner Takes Official Notice it would have been well known in the art to display a message to a user that a camera cannot be used or is not available if not been properly setup to prevent an error or poor recording. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Griesshaber to include the claimed available or unavailable status to prevent an error or poor quality recording and to indicate to a user the camera is not responding.

*Response to Arguments*

The Applicant argues that both Griesshaber et al (4,507,683) and Hogan (5,657,246) fail to disclose the amended limitation “obtaining means for obtaining information concerning initial parameters of a predetermined camera in accordance with starting up the monitoring terminal and

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for obtaining information concerning parameters of the predetermined camera whose condition changes of the initial parameters subsequent to the initial startup". As pointed out in the rejection, when the systems of Griesshaber and Hogan start up, the initial status of all cameras including a "predetermined camera" is displayed. The limitation "predetermined camera" is so broad that a user deciding to use a particular camera before actual operation meets this limitation. The Applicants fail to provide how or why the camera is predetermined. Simply claiming a "predetermined camera" does not carry and patentable weight. As a result the Applicants arguments are not persuasive.

*Allowable Subject Matter*

7. The indicated allowability of claims 3, 5, 7 - 10, 16, 18, 20, 21, 25 - 27, 29, 31 - 40, 43, and 45 - 56 is withdrawn in view of the newly discovered reference(s) to Griesshaber et al.  
Rejections based on the newly cited reference(s) ~~are set forth above~~.

8. Claims 22, 23, 41, 42, 57, 58 and 59 - 64 are allowed.

9. Claims 4, 6, 28, 30, 44, 46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- 1) Lang - Remote Video Viewing And Recording System For Remotely Occurring Events
- 2) Washing - Personal-Computer-Based Video Production System
- 3) Diner - Adjustable Control Station With Movable Monitors And Cameras For Viewing Systems In Robotics And Teleoperations

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4) Thompson - Synchronization Of Vertical Phase Of The Video Signals In A Video System

5) Cortjens et al. - Method For Automatically Adjusting The Pan And Tilt Of A Video Conferencing System Camera

6) Tsujita - Automatic bowling scoring system

7) Katz - Videophone system for scrutiny monitoring with computer control

8) Thompson - Open loop camera control

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 305-9051, (for formal communications intended for entry)

**Or:**

(703) 305 - 5399 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Srivastava whose telephone number is (703) 305 - 4038. The

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examiner can normally be reached on Monday - Thursday from 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andy Faile, can be reached at (703) 305 - 4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305 - 3900.

VS

6/29/00

LS

*Andrew Faile*  
**ANDREW FAILE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**